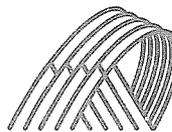


EAST KENTUCKY NETWORK  
101 TECHNOLOGY TRAIL  
IVEL, KY 41642  
PHONE: (606) 874-7550  
FAX: (606) 874-7551  
EMAIL: INFO@EKN.COM  
WEBSITE: WWW.EKN.COM

EAST KENTUCKY  
NETWORK



March 24, 2011

Linda Faulkner, Division Director Filings  
Public Service Commission  
211 Sower Blvd.  
P.O. Box 615  
Frankfort, KY 40602-0615

RECEIVED

MAR 28 2011

PUBLIC SERVICE  
COMMISSION

RE: Public Service Commission of Kentucky (Case No. 2010-00054)

Dear Ms. Faulkner:

Please find enclosed the approval letters from the FAA and the KAZC for the Jack's Creek Tower (Case No. 2010-00054).

If you have any further questions, feel free to contact me at 606-791-2375, ext. 1007 or via email [lhane@ekn.com](mailto:lhane@ekn.com).

Sincerely,

Lynn Haney  
Compliance Coordinator

Enclosures



Issued Date: 10/13/2010

Ali Kuzehkanani  
East Kentucky Network, LLC  
8300 Greensboro Drive, Suite 1200  
McLean, VA 22102

**\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Tower Jacks Creek  
Location: Jacks Creek, KY  
Latitude: 37-21-35.16N NAD 83  
Longitude: 82-44-26.56W  
Heights: 310 feet above ground level (AGL)  
2052 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, a med-dual system - Chapters 4,8(M-Dual),&12.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part I)
- Within 5 days after the construction reaches its greatest height (7460-2, Part II)

While the structure does not constitute a hazard to air navigation, it would be located within or near a military training area and/or route.

This determination expires on 04/13/2012 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates , heights, frequency(ies) and power . Any changes in coordinates , heights, and frequencies or use of greater power will void this determination. Any future construction or alteration , including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (847) 294 8084. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2010-ASO-3361-OE.

**Signature Control No: 127964369-132092828**

( DNE )

Carole Bernacchi  
Technician

Attachment(s)  
Frequency Data

cc: FCC

Frequency Data for ASN 2010-ASO-3361-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
806	824	MHz	500	W
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W
896	901	MHz	500	W
901	902	MHz	7	W
930	931	MHz	3500	W
931	932	MHz	3500	W
932	932.5	MHz	17	dBW
935	940	MHz	1000	W
940	941	MHz	3500	W
1850	1910	MHz	1640	W
1930	1990	MHz	1640	W
2305	2310	MHz	2000	W
2345	2360	MHz	2000	W



## KENTUCKY AIRPORT ZONING COMMISSION

STEVEN BESHEAR  
Governor

90 Airport Road, Bldg 400  
Frankfort, KY 40601  
[www.transportation.ky.gov/aviation](http://www.transportation.ky.gov/aviation)  
502 564-4480

October 14, 2010

### APPROVAL OF APPLICATION

#### APPLICANT:

East Kentucky Network, LLC.  
East Kentucky Network, LLC.  
8300 Greensboro Drive|Suite 1200  
McLean, VA 22102

SUBJECT: AS-036-PBX-2010-079

STRUCTURE: Antenna Tower  
LOCATION: Jacks Creek, KY  
COORDINATES: 37° 21' 35.16" N / 82° 44' 26.56" W  
HEIGHT: 310' AGL/2052' AMSL

The Kentucky Airport Zoning Commission has approved your application for a permit to construct 310' AGL/ 2052' AMSL Antenna Tower near Jacks Creek, KY 37° 21' 35.16" N / 82° 44' 26.56" W.

This permit is valid for a period of 18 Month(s) from its date of issuance. If construction is not completed within said 18-Month period, this permit shall lapse and be void, and no work shall be performed without the issuance of a new permit.

A copy of the approved application is enclosed for your files.

Medium Dual Obstruction Lighting is required in accordance with 602 KAR 50:100

  
John Houlihan  
Administrator



An Equal Opportunity Employer M/F/D